

Eric W. Moran, Esq.
Theodora McCormick, Esq.
Lauren B. Cooper, Esq.
EPSTEIN BECKER & GREEN, P.C.
875 Third Avenue
New York, New York 10022
(212) 351-4500 (phone)
(212) 878-8600 (fax)

150 College Road West, Suite 301
Princeton, New Jersey 08540
(609) 455-1540 (phone)
(609) 228-5318 (fax)

*Attorneys for Defendant
Bank of Hope*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SUK JOON RYU, a/k/a James S. Ryu,

Plaintiff,

v.

BANK OF HOPE,

Defendant.

Civil Action No.: 2:19-18998 (KM) (JBC)

Document Electronically Filed

**CERTIFICATION OF
ERIC W. MORAN, ESQ.**



I, Eric W. Moran, Esquire, hereby certify as follows:

1. I am an attorney-at-law of the State of New Jersey and a Member of the Firm of Epstein Becker & Green, P.C., attorneys for Defendant Bank of Hope

in this matter. I make this Certification in support of Defendant's Motion for Judgment on the Pleadings on Count II of the Complaint, or, alternatively, to Dismiss Count II for Lack of Subject Matter Jurisdiction.

2. I have firsthand knowledge of the facts set forth in this Certification.

3. Attached hereto as **Exhibit 1** is a true and correct copy of Bank of Hope's May 8, 2014 First Answer with Crossclaims and Counterclaims in *Wilshire Bank v. Chon, et al.*, Civil Action No. 14-1770 (KM) (JAD) (the "Embezzlement Action") (ECF No. 25).

4. Attached hereto as **Exhibit 2** is a true and correct copy of the April 11, 2019 Order granting Motion to Dismiss in the Embezzlement Action (ECF No. 292).

5. Attached hereto as **Exhibit 3** is a true and correct copy of the July 24, 2019 Transcript of Settlement Hearing in the Embezzlement Action.

6. Attached hereto as **Exhibit 4** is a true and correct copy of Ryu's August 4, 2019 Second Emergency Motion to Enforce Settlement, filed under seal in the Embezzlement Action (ECF No. 334).

7. Attached hereto as **Exhibit 5** is a true and correct copy of Ryu's August 5, 2019 Letter to the Court in the Embezzlement Action (ECF No. 336).

8. Attached hereto as **Exhibit 6** is a true and correct copy of the Bank's August 8, 2019 Opposition to Second Motion to Enforce Settlement in the Embezzlement Action (ECF No. 344).

9. Attached hereto as **Exhibit 7** is a true and correct copy of Ryu's August 8, 2019 Reply In Support of Second Emergency Motion to Enforce Settlement in the Embezzlement Action (ECF No. 345).

10. Attached hereto as **Exhibit 8** is a true and correct copy of United States Magistrate Judge Dickson's August 12, 2019 Letter Order granting Ryu's Second Emergency Motion to Enforce Settlement in the Embezzlement Action (ECF No. 348).

11. Attached hereto as **Exhibit 9** is a true and correct copy of Ryu's August 29, 2019 Motion for Partial Reconsideration in the Embezzlement Action (ECF No. 353).

12. Attached hereto as **Exhibit 10** is true and correct filed redacted copy of the May 1, 2020, Order and Opinion of United States Magistrate Judge Dickson Denying Ryu's Motion for Partial Reconsideration in the Embezzlement Action (ECF Nos. 396).

13. Attached hereto as **Exhibit 11** is true and correct copy of the draft Joint Discovery Plan submitted by counsel for Ryu to United States Magistrate

Judge James B. Clark, III on April 13, 2021. The relevant portion has been highlighted for the Court's convenience.

14. Attached hereto as **Exhibit 12** is true and correct copy of the April 11, 2021 Email from counsel for Ryu to counsel for the Bank stating that Ryu's Count II does not seek payment of unpaid attorneys' fees and expenses incurred in the Embezzlement Action. The relevant portion has been highlighted for the Court's convenience.

15. Attached hereto as **Exhibit 13** is true and correct copy of the May 11, 2021 Email from counsel for Ryu to counsel for the Bank stating that Ryu no longer seeks punitive damages in connection with Count II. The relevant portion has been highlighted for the Court's convenience.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the statements made by me are knowingly false, I may be subject to punishment.

Dated: May 14, 2021

/s/ ERIC W. MORAN

Eric W. Moran, Esq.